

DOMESTIC VIOLENCE COURTS:

A DESCRIPTIVE STUDY

JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

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**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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EXECUTIVE SUMMARY

California Family Code section 6390 directs the Judicial Council to conduct a descriptive study of domestic violence courts in the state. In response, the Administrative Office of the Courts collected data on civil and criminal domestic violence courts in California. This report elaborates upon two major themes that emerged during the research:

- *Courts throughout the state have responded to the challenge of domestic violence cases in a variety of different ways, making it difficult to identify only one model or definition of domestic violence courts;*
- *The major feature that unifies domestic violence courts is that they seek to enhance victim and child safety and ensure batterer accountability.*

For this report, the term “domestic violence courts” refers to those courts that assign judicial officers to hear a special domestic violence calendar, regardless of whether the judicial officers hear those cases exclusively or as part of a mixed assignment. Using both quantitative and qualitative data gathered during Spring 1999 through Winter 2000, this report describes:

- *Policies and procedures of 39 court locations in 31 of California’s 58 counties that met the definition of a domestic violence court as specified in Family Code section 6390;*
- *Survey responses from domestic violence courts and professionals in the field of domestic violence that revealed multiple objectives for establishing specialized procedures for handling domestic violence cases. These objectives include: enhancing victim safety, holding batterers accountable, improving case management, and making more efficient use of resources;*
- *Survey responses identifying a number of potential obstacles to implementing domestic violence courts. These obstacles include: limited resources, current policies and procedures, training and education, resistance of key participants, and case characteristics.*

This study provides the California Legislature with a description of what courts are doing to meet the challenge of domestic violence and suggests several areas for future consideration. This description of domestic violence courts is intended to serve as a summary of current court procedures and efforts to enhance the safety of children and victims, ensure the accountability of batterers, and improve the administration and accessibility of justice.

DOMESTIC VIOLENCE COURTS: A DESCRIPTIVE STUDY

I. Introduction

California Family Code section 6390 directs the Judicial Council to conduct a descriptive study of domestic violence courts. The code provides, in relevant part:

The Judicial Council shall conduct a descriptive study of the various domestic violence courts established in California and other states. As used in this section, “domestic violence courts” means the assignment of civil or criminal cases, or both, involving domestic violence to one department of the superior court or municipal court, consistent with the jurisdiction of those courts. The study shall describe the policies and procedures used in domestic violence courts and provide an analysis and rationale for the common features of these courts. The study shall identify issues and potential obstacles, if any, to be considered in developing and implementing effective domestic violence courts at the local level.

In response to this mandate, the Administrative Office of the Courts’ Domestic Violence Courts Study collected data on how California’s courts are handling domestic violence matters arising in civil and criminal cases. This report is the result of those efforts.

The research yields two major themes that are evident throughout this report:

- *Courts throughout California have responded to the challenge of domestic violence cases in a variety of different ways, making it difficult to identify only one model or definition of domestic violence courts;*
- *The major feature that unifies domestic violence courts is that they seek to enhance victim and child safety and ensure batterer accountability.*

While safety and accountability are not new themes for courts, the ways in which domestic violence courts approach these goals represent a relatively recent phenomenon. As a result, this is an emerging field that has yet to yield one particular best-practices model and instead encompasses a variety of practices and procedures designed to best meet the needs of litigants. The challenge is to catalog and adequately describe the myriad processes and procedures employed by the courts to respond to the fundamental concerns of safety and accountability. This report describes those procedures and contributes California’s perspective to the developing body of literature on this topic.

The fact that this is an emerging field makes it especially important to specify precisely what is meant when one is discussing domestic violence courts in California. The term “domestic violence court,” as used in this report, refers to

those courts that assign judicial officers to hear a special domestic violence calendar, regardless of whether the judicial officers hear those cases exclusively or as part of a mixed assignment.¹ The use of the term “domestic violence court” is not intended to suggest that other characteristics of a court’s operations might not be equally valid for categorizing domestic violence courts. The definition merely follows the legislative directive.

This research indicates that in California, it is not useful for purposes of identifying major characteristics of domestic violence courts to distinguish between those courts that assign judges “exclusively” to domestic violence cases and those that assign judges to “mixed” assignments that include domestic violence matters. There may be any number of reasons that a court chooses to rotate judicial officers among various calendars. For example, small counties with few domestic violence cases would most likely find that assigning a judicial officer exclusively to domestic violence cases would be impractical and inefficient. Combining the two methods of calendaring in this report allows full consideration of the diverse case processing methods in use.

Methodology

Data for this report come primarily from four sources: (1) a three-part survey of court administrators, judges, and family court services staff; (2) a survey of domestic violence victim advocates; (3) a survey of specialists working in batterer intervention programs; and (4) an informal roundtable on domestic violence courts.

The first data source was developed in conjunction with the National Center for State Courts’ (NCSC) national survey of domestic violence courts. The Domestic Violence Courts Survey contains three separate sections of both quantitative and qualitative questions (see appendix A). Part 1 consists of closed-ended questions and examines jurisdiction, intake and screening, service provision, monitoring of compliance with orders, and other issues related to case processing in domestic violence courts. Part 1 was mailed to court administrators and judges throughout the state in Spring and Summer 1999 and returned by 69 court locations in 56 of California’s 58 counties. Of these 69 courts, both criminal and civil, 39 court locations in 31 counties indicated that they met the definition of operating a domestic violence court. Part 2 of this survey was mailed to the same group of court administrators and judges but consisted of open-ended questions that allowed respondents to elaborate upon their responses. The questions in Part 2 focused primarily upon the rationale for creating specialized procedures for handling domestic violence cases, obstacles that courts encounter, and methods by which courts overcome those obstacles. Sixty-three courts responded to Part 2. Part 3 of the survey also consisted of qualitative, open-ended questions on the rationale, obstacles, and goals of domestic violence courts but was directed toward family

court services staff. Thirty-five family court services staff members responded to Part 3 of the survey.

The second major source of data for this study is a survey administered to domestic violence victim advocates during the first months of 2000 (see appendix B). The Advocates Questionnaire was distributed with the generous assistance of two statewide advocacy groups, the California Alliance Against Domestic Violence and the Statewide California Coalition for Battered Women. The Advocates Questionnaire was mailed to a sample of domestic violence advocacy agencies and/or individuals who either work in domestic violence courts or provide adjunctive court legal services to domestic violence victims. The questionnaires consist of a combination of open- and closed-ended questions focused on respondents' impressions of the obstacles, advantages, and disadvantages of specialized domestic violence case processing in civil, criminal, and juvenile courts and the impact of these courts on batterers. Out of a total of 38 questionnaires distributed, 15 were returned and are incorporated into this study.

The third source of data for this report comes from a survey administered to specialists working in the area of batterer intervention programs (see appendix B). The Batterers' Intervention Program Questionnaire was distributed at "Confronting Our Beliefs: Effective Domestic Violence Advocacy From a Holistic Perspective," a conference on domestic violence held in January 2000 in Long Beach by the Association of Batterers' Intervention Programs and the Statewide California Coalition for Battered Women. Over 300 individuals attended the conference, including representatives of shelters for battered women, batterers intervention programs, school districts, adult and children's protective services, and social service, mental health, and probation departments. Like the survey of domestic violence advocates, this questionnaire asked respondents both open- and closed-ended questions about their impressions of the obstacles, advantages, and disadvantages of specialized domestic violence case processing in civil, criminal, and juvenile courts and the impact of these courts on batterers. Thirty-six of these questionnaires were returned and incorporated into this study.

The final source of data incorporated into this report is drawn from a roundtable on domestic violence courts held June 3, 1999, in Oakland. Approximately 30 judicial officers, directors of family court services, family law facilitators, and other court staff involved in domestic violence issues participated in the roundtable. Notes taken at the meeting were reviewed, analyzed, and inserted into this report where relevant.

It needs to be emphasized that this report is intended purely as a *descriptive* study, a mapping of the terrain of specialized procedures for handling domestic violence cases. Because domestic violence courts are a relatively new development within the courts, and because the resources available for this study were limited, no

attempt is made here to assess the efficacy of specialized procedures for case processing in domestic violence cases. Instead, this report seeks to provide a multidimensional picture that captures the diversity of responses that have been formulated to handle this sensitive and difficult area of law. It is hoped that the Domestic Violence Courts Study may serve as the basis for future evaluative research on domestic violence courts and will provide rich and valuable information for those courts that are currently striving to enhance the safety of victims and hold perpetrators accountable for their actions.

This report will provide:

1. An overview of domestic violence court practices in California and other states;
2. Quantitative data on the types of policies and procedures employed by California's domestic violence courts;
3. Survey respondents' analyses and rationales for common features of domestic violence courts;
4. Survey respondents' perceptions of the impact of domestic violence courts;
5. Descriptions of potential obstacles and barriers in implementing domestic violence courts; and
6. Discussion of issues relating to implementation of effective domestic violence courts.

II. Domestic Violence Courts: An Emerging Field

As awareness of domestic violence has increased, courts throughout the country have responded by developing specialized calendars and procedures that vary by jurisdiction. These various procedures have been described as "specialized court management of domestic violence cases"² and in this report are collectively referred to as "domestic violence courts" or "specialized processes."

Courts in California and elsewhere are utilizing various processes to address domestic violence. There is significant diversity in these processes as each court develops practices that are effective and appropriate given local resources. It is important to recognize that this is an emerging field of judicial administration and research, and as a result, no one model of domestic violence courts has been identified. As part of this study, Administrative Office of the Courts (AOC) staff conducted a review of the current literature on domestic violence courts specifically and found that there are relatively few discrete domestic violence court models even though many courts are employing specific procedures and coordinated community responses to address domestic violence.³ Despite the lack of one particular model of domestic violence courts, several major features emerge from

these various practices that distinguish domestic violence courts from other judicial proceedings.

According to the AOC's research, domestic violence courts indicate that their fundamental goals are victim safety and batterer accountability. Although civil and criminal courts may approach these objectives differently as a result of their fundamental procedural differences, there is a great deal of similarity in focus even between civil and criminal courts. Civil and criminal domestic violence courts across the country and in California employ a variety of case management and calendaring procedures. A particular court might exhibit some or all of the features discussed in this report depending upon a number of factors, including the population size of the county, the number of cases that the court handles, and access to resources such as facility space.

Major Features of Domestic Violence Courts

The major features of domestic violence courts can be grouped as follows: (1) case assignment, (2) screening for related cases, (3) intake units and case processing, (4) service provision, and (5) monitoring.

ASSIGNMENT OF CASES TO A SPECIALIZED CALENDAR Courts may combine their civil and criminal domestic violence cases on one calendar, or they may hear the cases on different calendars. Some courts assign all their domestic violence cases to one judicial officer; others reserve one day a week for hearings on domestic violence cases conducted by judges who handle mixed caseloads. In Dade County, Florida, for example, civil and criminal domestic violence matters are combined and judicial officers "specifically trained in family violence administer the DCDVC" (Dade County Domestic Violence Court).⁴ All key participants in the DCDVC are required to attend domestic violence training and to participate in public education on domestic violence and court issues.

Regardless of whether judicial officers are assigned exclusively to domestic violence cases or hear a mixed calendar, the assignment of cases to a specialized calendar is a fundamental feature of domestic violence courts. This often requires additional courtroom staff. For example, if both civil and criminal cases are heard on the same day on the same calendar, a court may need two court clerks, or more, to ensure that the minutes and orders are properly recorded in the respective files. For example, at least one California civil court employs two clerks, one to take minutes of the proceedings and another to generate the orders.

SCREENING FOR RELATED CASES Technological resources in many courts are limited and may not provide the information needed to address the variety of issues presented by a domestic violence case. For example, a family law judge hearing a domestic violence restraining order application may have no way of knowing if a

restraining order had already been issued in a criminal court. Some courts seek to coordinate the disparate elements of a case by linking related matters pending in different courts. This may involve the assignment of a single judge to hear various matters that involve the same family, such as the processing of a domestic violence restraining order, a child support issue, and a related criminal matter. In California, some courts have hired or assigned staff to a “case manager” position to determine the identities of “family members” and to locate and coordinate the files for the family so that the judicial officer has an understanding of the various issues with which the family is dealing. The Domestic Violence Coordination Unit in Washington, D.C., provides another example: the clerk there schedules hearings, gathers information for case histories, and “search[es] the computer database for any prior or additional cases involving the same parties.”⁵

INTAKE UNITS AND CASE PROCESSING Courts employ a variety of strategies not only to link related cases but also to screen cases in order to provide services for victims of domestic violence and enhance case processing. Specialized intake units may include clerks who have experience working with victims and perpetrators of domestic violence. Additionally, intake units may offer restraining order assistance (advice on forms or processes), referrals to other court divisions, or referrals to outside service agencies. Washington D.C., handles domestic violence cases on a combined civil and criminal calendar and also uses an established and identifiable “Domestic Violence Intake Center” to serve as “the first point of contact for victims of domestic violence.”⁶ Intake Center staff help restraining order petitioners better understand the court process; in addition, local domestic violence victim advocates on the staff make appropriate referrals to social service agencies. Staff may also help a petitioner contact a U.S. Attorney’s Office victim advocate regarding an existing or potential criminal case.⁷

In California, assistance with child support issues is routinely offered by the family law facilitator. Specialized courtroom staff may provide important assistance with other procedures, including referrals for “safety planning,” which helps victims identify what they need to do to enhance their safety in terms of housing, finances, or childcare.

SERVICE PROVISION The needs of domestic violence victims, perpetrators, and children exposed to domestic violence frequently go beyond traditional forms of court intervention. Litigants and their children may need counseling, drug treatment, housing assistance, information about and referrals to social services, supervised visitation, and other assistance. In order to determine which resources are appropriate, it may be helpful for cases to receive “differential assessments.” This particular process assumes that not all experiences of violence are exactly the same and seeks to provide case-specific assistance so that those with particular needs can access appropriate interventions. While many courts use existing court-connected services such as family court services to provide this assessment and

other resources, domestic violence courts also draw upon the resources of the community to provide services not traditionally available through the court.

The participation of the local community is visible in both the establishment of domestic violence courts and in case processing. These courts are frequently established through active dialogue with the communities in which they operate. Community leaders may be involved in identifying needs, establishing goals, and resolving problems. In addition, these specialty courts tend to rely heavily upon community resources being available for those appearing on domestic violence matters. In domestic violence courts, local civic organizations, battered women's shelters, supervised visitation centers, counseling agencies, and other nonprofit organizations may participate in cases by providing information to the court regarding compliance with court orders or services needed by litigants. Thus, a crucial component of domestic violence courts is that they provide, through specialized procedures, interventions in domestic violence cases that utilize resources outside the court.

MONITORING Courts make many different types of orders that may require monitoring. For example, courts order domestic violence perpetrators to attend counseling and parents to attend drug or alcohol treatment programs and parenting classes. Monitoring compliance with these types of orders requires an investment of judicial and court staff resources. If a court decides in a criminal case that, for example, it wants information provided by the probation department during court hearings, the court must develop a relationship with the probation department and collaborate on a method to have a probation officer in court at certain times. In civil cases, monitoring for compliance with drug or alcohol treatment programs is difficult because the court might only have the statement of the affected party and perhaps a letter from a treatment agency on which to rely. To cope with this problem in New York City, a "defendant monitor" is assigned in criminal matters to follow a defendant's status and oversee compliance with orders such as restraining orders or counseling programs.⁸ In California, some courts schedule hearings in criminal domestic violence cases every 30, 60, or 90 days to monitor batterers' compliance with orders. These procedures require the participation of court reporters, clerks, bailiffs, district attorneys, probation officers, batterer intervention programs, victim witness assistance, social service agencies, and judicial officers.

III. Policies and Procedures in California's Domestic Violence Courts

This section reviews the policies and procedures of California's domestic violence courts as reported in the Domestic Violence Courts Survey, the result of a detailed questionnaire completed by 69 court locations in California. We narrow the focus

here to courts that indicated in the survey that they assign judicial officers to a special domestic violence calendar. As emphasized in the previous section, this definition of a domestic violence court is not intended to suggest that judicial assignment is the only means by which courts can improve the processing of domestic violence cases. Courts may implement any number of policies to ensure the safety of victims and hold batterers accountable without assigning cases to a special domestic violence calendar. Screening cases for related domestic violence matters, establishing special intake units, providing service referral, and working cooperatively with other justice agencies are all important policies and procedures to consider in addition to judicial assignment.

This section includes a review of court policies and procedures implemented in superior court jurisdictions that, under section 6390 of the Family Code, assign “civil or criminal cases, or both, involving domestic violence to one department of the superior court or municipal court.” *Thirty-nine of the 69 courts indicated that they assign judicial officers to a special domestic violence calendar.* Of these, 16 reported that they assign judges to hear domestic violence cases exclusively, and 23 reported that judicial officers have mixed caseloads but are also assigned to a special domestic violence calendar. This section focuses on the policies and procedures used in these 39 courts.⁹

This section begins with an examination of the process of assigning cases to a domestic violence calendar. The report provides a description of the case types that are typically flagged by courts for the domestic violence calendar, case-screening procedures in these courts, and the intake units that screen cases and provide assistance and referrals to victims of domestic violence. The next section considers case processing in domestic violence cases, focusing on the services that domestic violence courts provide, the resources available for processing domestic violence cases, and the monitoring of compliance with court orders. This section also discusses the information technology available to courts for case processing and communication between courts and other agencies in the justice system.

Assignment, Screening, and Intake of Domestic Violence Cases

CASES ASSIGNED TO A DOMESTIC VIOLENCE CALENDAR The Domestic Violence Courts Survey provided courts with a list of case types and asked respondents to indicate if these cases “typically are assigned to a specialized division/calendar.” The options included both civil and criminal cases and are listed in Table 1. Courts were asked to choose among three options for case assignment: they assign all of the cases, some of the cases, or none of the cases to a specialized division or calendar.

The case most widely assigned to a specialized domestic violence calendar is a Domestic Violence Prevention Act (DVPA) order, often referred to as a restraining order. This holds true in both the exclusive-assignment and the mixed-assignment

courts, and it is also true regardless of whether or not the petitioner has children. Twenty-six of the 39 courts report that they assign *all* DVPA orders to a specialized calendar or division, and another 4 courts report that they assign *some* cases.

Table 1. Assignment of Cases to a Special Calendar or Division*

<i>Case Types</i>		<i>Number of Courts That Assigned This Case Type to a Specialized Division/Calendar</i>		
		Assign All Cases	Assign Some Cases	Assign No Cases
<i>Civil Cases</i>	Domestic Violence Protection Act (DVPA) Orders	26	4	9
	Divorce (with related DVPA order or DV criminal case)	15	0	24
	Custody and visitation (with related DVPA order or DV criminal case)	17	0	22
	Paternity and child support (with related DVPA order or DV criminal case)	15	1	23
<i>Criminal Cases</i>	Domestic violence misdemeanors	19	3	17
	Domestic violence felonies	9	4	26

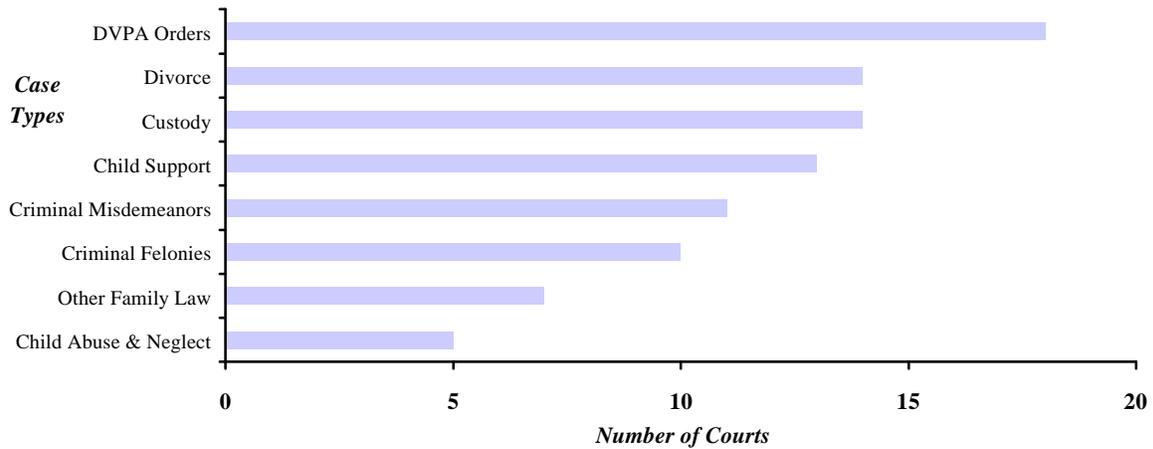
* Out of 39 courts

Domestic violence misdemeanors are the next most likely type of case to be assigned to a special division or calendar. Slightly more than half of all domestic violence courts—19 of the 39—reported assigning all domestic violence misdemeanor cases to a special division or calendar. Almost half of all the courts also reported assignments of custody and visitation cases, divorce, and paternity and child support cases to a specialized calendar or division when there was a related DVPA order or criminal case.

Domestic violence felonies are the least likely to be assigned to a specialized division or calendar. Nine courts—fewer than one-quarter of the 39 courts—reported that they assign all criminal domestic violence felonies to a special calendar or division. Another 4 courts reported that they assign some domestic violence felonies to a special calendar or division.

SCREENING CASES FOR RELATED DOMESTIC VIOLENCE MATTERS Twenty-three of the 39 domestic violence courts surveyed reported that they have a department of the court or clerk’s office that screens for related domestic violence cases (current or past) when a domestic violence case is filed. Figure 1 shows which case types are screened in the 23 courts that reported having a department for screening purposes. The most common case type to screen is a DVPA order. More than three-quarters of the domestic violence courts that have a department for screening—18 of 23—reported that they screen for related domestic violence cases when a DVPA order is filed.

Figure 1. Case types that domestic violence courts screen for related filings



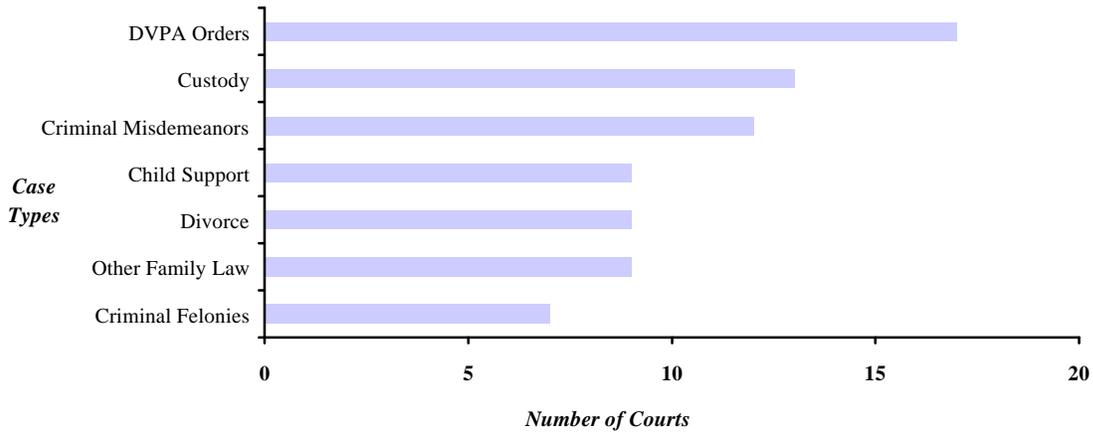
More than half of the 23 courts with a special department for screening cases also reported that they screen for related domestic violence matters in *family law* cases. Fourteen of the 23 courts screen for related cases when divorce and child custody cases are filed. Thirteen courts screen when child support cases are filed. Fewer than one-third, or 7 courts, also indicated that they screen for related domestic violence matters in “Other Family Law” cases.

Courts are least likely to screen criminal cases and child abuse and neglect cases. Fewer than half of the 23 courts—11 courts—reported that they screen for related matters in criminal misdemeanors, and 10 indicated that they screen in criminal felony cases. Only 5 courts reported that they screen child abuse and neglect cases.

INTAKE UNITS AND PROCESSING OF DOMESTIC VIOLENCE CASES Case screening is closely related to the existence of a special unit or process within the court for assisting with the intake and coordination of domestic violence cases. Of the 39 domestic violence courts, 24 reported that they have some unit or process that assists with the intake or coordination of the domestic violence caseload.

Figure 2 shows which domestic violence cases are handled by the unit or process within these 24 courts. As with case screening, DVPA orders are the most frequently cited case type handled by the intake unit or process. More than two-thirds—17 of 24—of these domestic violence courts handle DVPA orders through a special intake unit or process. The next most common case types to process through the intake unit are child custody and criminal misdemeanors.

Figure 2. Domestic violence cases handled by an intake unit or process

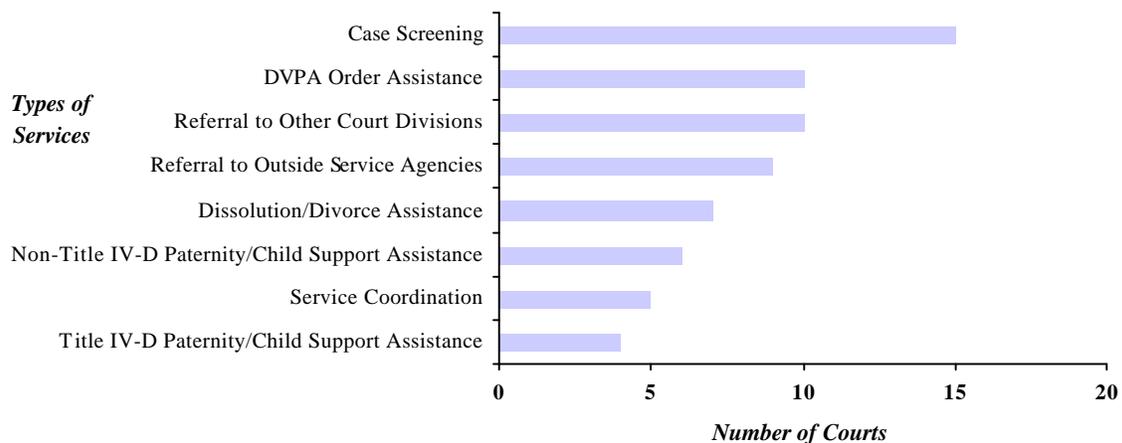


Thirteen of these courts—more than half—use their units to process child custody cases, and 12 use them for criminal misdemeanors. Fewer than half of the 24 courts use their special intake units or procedures to process any other single case type. Nine of these courts use their intake units to process child support, divorce, and other family law cases, and only 7 use it for criminal felonies.

In addition to case processing, intake units may directly assist parties to domestic violence cases in filing petitions or refer petitioners to services available through another court or outside service agencies. The Domestic Violence Court Survey asked courts to indicate the services to which their intake unit refers parties in domestic violence cases or that the intake unit provides directly to parties.

Figure 3 shows the types of services provided by the intake units in these 24 courts. The function most commonly performed by the intake units is case screening. Fifteen of these courts—more than half—use their intake units for case screening.

Figure 3. Services provided by domestic violence courts’ intake unit or process



Fewer than half of the 24 courts with intake units provide the next most common service. Ten of these courts use the intake unit to provide assistance with filing DVPA orders, and 10 also provide referrals to other court divisions through their intake units. Nine of the 24 courts use the intake unit to provide referrals to outside agencies. Fewer than one-third of 24 courts use their intake units for providing assistance with divorce or dissolutions, and only one-quarter or fewer use their intake units for providing service coordination or assistance with paternity or child support cases in Title IV-D or non–Title IV-D cases.¹⁰

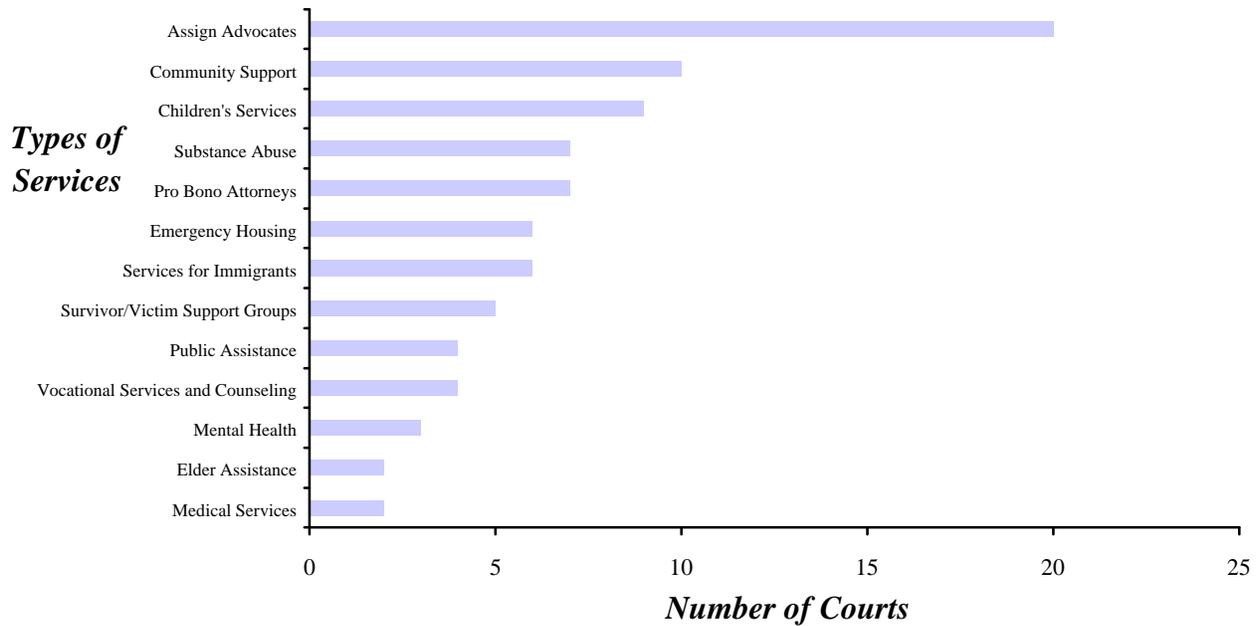
The Domestic Violence Courts Survey also asked courts two questions about the management and staffing of their intake units. First, the survey asked if the intake unit is managed directly by court employees or by an outside agency. Second, it asked whether or not the court assigns staff exclusively to the intake function. Twenty-two of the 24 courts indicated that they directly manage the intake unit or process with court employees. A clear majority of the courts surveyed also reported that they provide these services with staff who work only part-time on domestic violence matters. *Only 6 of the 24 domestic violence courts with a special intake unit or procedure assign staff exclusively to this intake function.*

Service Provision, Monitoring, and Resources in Domestic Violence Courts

SERVICE PROVISION FOR VICTIMS OF DOMESTIC VIOLENCE Victims of domestic violence frequently have needs that exceed traditional forms of support provided by the court. Petitioners for DVPA orders may need child care, job training, mental health or substance abuse referrals, emergency medical services, and even temporary shelter. The Domestic Violence Courts Survey asked courts if they assist with or link victims of domestic violence to service referrals or service provision. Twenty-six of the 39 domestic violence courts indicated that they do. The survey then provided a list of services and asked courts to indicate the types of services or referrals to which they link petitioners for protection orders. Figure 4 lists the responses of the courts to this question.

The most common service provided to victims is the assignment of an advocate. Twenty of the 26 domestic violence courts that provide referrals to services indicate that they assign advocates to petitioners. There is no clear pattern to the remaining responses to this question. Ten courts provide referral to some form of community support service. Nine courts provide referrals for children’s services, and 7 provide substance abuse or pro bono attorney referrals. Approximately one-quarter of the courts that provide service referrals provide some of the following service referrals: emergency housing, immigrant assistance, survivor/victim support services, public assistance, and vocational services. Two of the 26 courts that provide service referrals link petitioners with elder assistance or medical services.

Figure 4. Services to which courts refer petitioners in DVPA cases

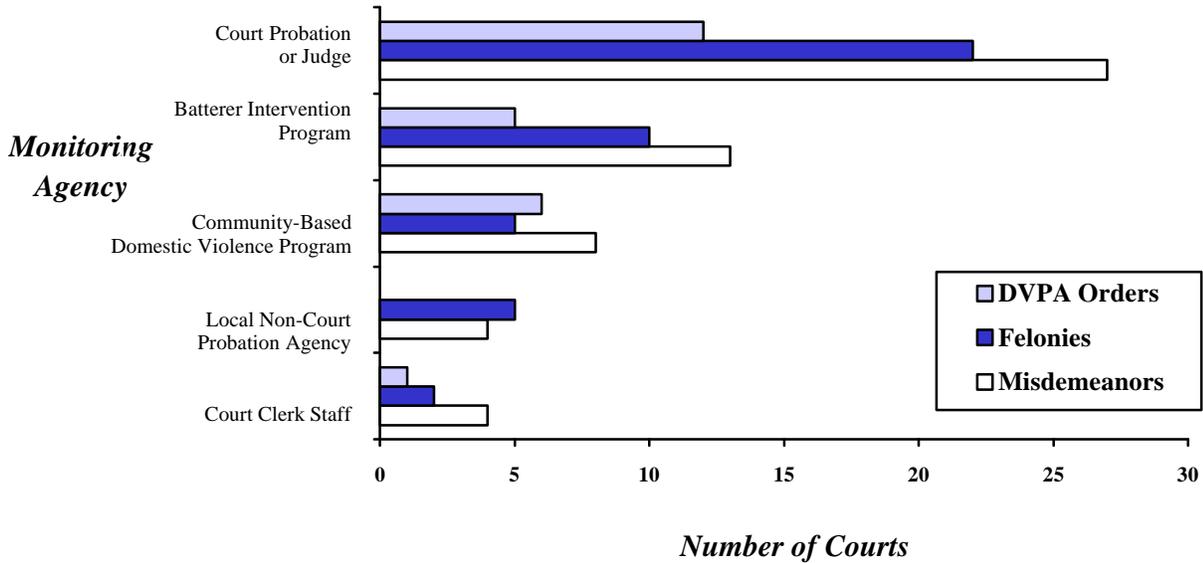


MONITORING COMPLIANCE WITH ORDERS Just as providing services to victims of domestic violence is essential for improving both access to the courts and the quality of justice, it is important to hold batterers accountable for their actions and demonstrate that the legal system takes domestic violence seriously. In order to achieve this goal, domestic violence courts may seek remedies that combine punitive measures with those designed specifically to change the behavior of batterers.

The procedures for dealing with batterers in domestic violence courts appear to be much more uniform than those addressing the needs of victims. Thirty-six of the 39 domestic violence courts indicated that the court “regularly orders batterers to participate in a batterer intervention program.” This finding probably stems from the mandate in California law requiring that any defendant granted probation for a crime in which the victim is an intimate partner or immediate family member must participate in a batterer intervention program.¹¹

Figure 5 shows how compliance with orders to intervention programs is monitored in California’s domestic violence courts in criminal misdemeanor and felony cases as well as in civil cases. The most widely used form of monitoring in all three case types is court probation or judicial review. Courts also draw upon community resources for monitoring compliance with court orders. Batterer intervention programs provide monitoring for criminal misdemeanors in 13 courts, for felonies in 10 courts, and for DVPA orders in 5 courts.

Figure 5. Agencies monitoring compliance with orders in domestic violence courts



Community-based domestic violence programs monitor compliance with orders in misdemeanor cases in 8 courts and in felony cases in 5 courts, and they monitor compliance with DVPA orders in 6 courts. Court clerk staff are not widely used to monitor compliance with orders: only 4 of the courts use their clerk staff to monitor in misdemeanor cases, 2 in felony cases, and 1 for DVPA orders.

Twenty-four of the 39 domestic violence courts in California have a regularly scheduled judicial review calendar to monitor progress in batterer intervention programs. Review calendars are generally held to assess compliance with or to modify orders. In criminal cases, reviews may be set at regular intervals to ensure that defendants are attending court-ordered batterer intervention programs; in civil cases, litigants may appear on a review calendar to modify orders such as visitation orders.

HUMAN RESOURCES, TECHNOLOGY, AND FUNDING OF DOMESTIC VIOLENCE COURTS The interventions that domestic violence courts typically engage in depend in large part upon the resources that are available to the courts. These include *human resources* (judicial officers and staff), the *technology* that permits courts to share information with other government and social service agencies, and *funding*. Judicial officers may need to take extra time to explain court procedures and let unrepresented litigants know what types of services are available to them in civil cases. Reviews in criminal cases may require an additional clerk to combine criminal and civil case files and coordinate personnel. Computer technology that allows the court to communicate with social service and other state agencies can also facilitate the processing of these cases.

As noted above, very few of the domestic violence courts assign staff exclusively to the intake unit in domestic violence cases—only 6 of the 24 courts with a special intake unit. There is no way to gauge from the Domestic Violence Courts Survey how many judicial officers in the state hear a special domestic violence calendar. However, courts that make exclusive assignments to a domestic violence calendar were asked to indicate the number of judicial officers assigned to that calendar. Of the 16 exclusive-assignment courts, 9 report assigning one judicial officer to the domestic violence court, and the remaining 7 courts assign two judicial officers. Thus, at the time of the survey, 23 judicial officers in the state were assigned exclusively to a domestic violence calendar.

The Domestic Violence Courts Survey did ask courts to indicate whether or not they had automated information systems in place to help identify related cases and facilitate case tracking. Twenty-three of California's 39 domestic violence courts reported that they have an automated information system in place both to facilitate case tracking and to help identify related cases.

The survey also sought information on whether or not courts are able to share the data from their information systems with outside agencies or gather data from the information systems of those agencies. In general, the information systems in domestic violence courts are better able to share data with outside agencies than to acquire information from them. Twenty-two of the 39 courts have an information system that can share information with some outside agency, but only 12 of the 39 are able to tap into an outside agency's information system.

Probation departments appear to have the greatest access to the information systems of domestic violence courts in California, followed closely by prosecutors. In 20 of the 39 domestic violence courts, probation departments have access to the courts' information system. In 19 of the courts, prosecutors also have access to the courts' information systems. Police departments have access to information systems in 10 of the domestic violence courts. Social service agencies and corrections agencies have more limited access to the courts' information systems. Only 5 courts reported that they are able to share information with corrections, and only 4 reported that they share information with social service organizations.

In assessing whether or not courts are able to access the information systems of outside agencies, once again the greatest amount of data sharing appears to take place between courts and probation departments and prosecutors. At the same time, only 6 of California's 39 domestic violence courts can gather information from the probation department or prosecutors. Only 4 courts have access to police information systems, and only 2 courts have access to the information systems of corrections agencies or to other social service agency information.

Unlike drug courts, which have received a great deal of federal grant money in recent years, California's domestic violence courts do not appear to have received much in the way of federal support for their operations. The Domestic Violence Courts Survey asked courts whether or not they were receiving federal funding to assist with the operation and/or evaluation of the domestic violence calendar. Only 3 of California's 39 domestic violence courts reported that they had received funding from the Violence Against Women Act (VAWA) Stop grant. Two courts had received grants to encourage arrest policies.

IV. Analysis and Rationale for Common Features of Domestic Violence Courts

One way of determining whether there are similarities between the various courts implementing the procedures discussed previously is to consider what courts seek to achieve by establishing specialized processes for domestic violence cases. The study found that courts engaging in these efforts have similar or overlapping goals and objectives that may provide indications of the analysis and rationale courts use as they develop various procedures.

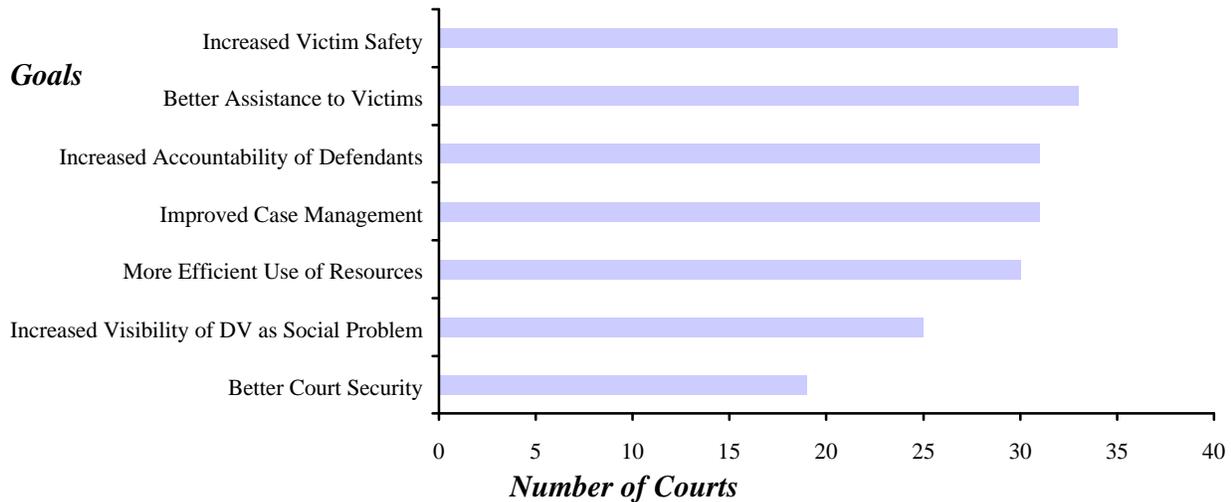
Courts participating in the Domestic Violence Courts Survey were asked two closed-ended questions regarding the motivation for establishing specialized procedures for the handling of domestic violence cases. One question asked specifically about the purpose of case screening, offering respondents five options for describing it. The other question asked more generally about the goals of the court in assigning domestic violence cases to a specialized calendar. Again, courts were offered a list of options from which to choose.

Additionally, the survey posed an open-ended question that gave survey respondents the chance to report on their "ideal" domestic violence court and its components. Some responses mirrored processes that courts have already instituted, as described earlier in this report. Many respondents indicated that they would implement a host of procedures and services designed to be more responsive to domestic violence cases if they had sufficient resources. The various rationales for establishing domestic violence courts were made apparent by the responses to all these questions.

Figure 6 lists the reasons that California's 39 domestic violence courts established specialized procedures for processing domestic violence cases. Consistent with the responses to open-ended questions, *respondents placed the greatest emphasis upon victim and child safety, providing better services to victims, holding perpetrators accountable, and improving case management.* Thirty-five of the 39 courts indicated that one of the goals of establishing a domestic violence court was "improved victim safety." Survey respondents described a variety of ways they

believed this would happen in the ideal domestic violence court. For example, key participants would seek to intervene to prevent abuse and to hold perpetrators accountable, and the court would be accessible, effective, and able to collaborate with community agencies.

Figure 6. Goals of domestic violence courts



The next most frequently cited goal was better assistance to victims, with 33 of the 39 courts citing this reason. In describing what kinds of resources would ideally be available to assist victims, respondents described legal assistance, counseling for children, victim witness assistance, court personnel to conduct intakes and differential assessments, assistance for unrepresented litigants, availability of 52-week and longer batterer programs, attorneys for children, and drug treatment. Resources and interpreter services would be available in a variety of languages. According to survey respondents, where appropriate, courts should also make referrals and orders to supervised visitation programs that are responsive to domestic violence matters and that have the ability to consider various complexities, such as what to do about visitation when a victim is in a shelter or confidential housing.

Increased accountability of batterers and improved case management were also cited as goals by a large number of the courts in response to this question. Thirty-one of the courts indicated that they sought increased accountability of defendants and improved case management. Examples of increased accountability include periodic court reviews, sanctions for noncompliance, and coordination with probation and batterer intervention programs.

Survey respondents indicated that improved case management would expedite matters so that case processing would go quickly and smoothly. They also hoped to employ a means of coordinating within a particular court system by using a case

manager and/or a computer index. Additionally, the ideal domestic violence court would have the ability to enter orders into the Domestic Violence Restraining Order System immediately and the ability to coordinate with other agencies such as Child Protection Services (CPS).

In order to implement these case management features, courts indicated a need for updated technology and an ability to obtain consistent, stable funding. Survey respondents indicated that by improving case management, courts may be more likely to produce consistent, effective orders and use existing resources more efficiently. Thirty of the 39 courts indicated that using resources more efficiently was one of their goals in establishing a D.V. court. Case management may be enhanced by the development of institutionalized policies and procedures, the existence of specialized personnel with domestic violence training, and the availability of well-qualified replacement personnel in the case of absences.

Twenty-five of the 39 domestic violence courts indicated that they hoped to increase the visibility of domestic violence as an important social problem by implementing these procedures. By doing so, courts indicated that they hoped the community would have confidence that the court is focused on batterer accountability and victim safety.

Somewhat fewer courts responded that they established specialized procedures for handling domestic violence cases in order to provide better court security. Fewer than half of all 39 domestic violence courts—19 courts—cited better court security as a goal. Respondents noted that secure facilities and resources need to be available and responsive for both criminal and civil matters.

V. Perceived Impact of Domestic Violence Courts

Research assessing the impact of various procedures on victims and batterers is largely unavailable to courts. However, this study asked court personnel to describe their perceptions of the impact of domestic violence courts on victims and batterers. The questionnaire also asked victim advocates and batterer intervention staff to identify the advantages and disadvantages of domestic violence courts for victims and batterers. In reporting the responses, this section first describes the perception of effects on victims and then on batterers and children. In most cases, responses focused primarily on the perception that domestic violence courts have a significant impact on enhancing victim safety and improving batterer accountability.

Reported Impact on Victims

IMPROVED PROCEDURES Respondents cited several positive effects of specialized domestic violence courts for victims. Many courts, victim advocates, and batterer intervention personnel indicated that one of the primary beneficial effects has been improved court procedures. Responses ranged from believing that petitioners or victims have a “sense of relief that their concerns are being addressed” to the perception that victims find the process easier, faster, less stressful, and more accessible. One advocate noted that in criminal domestic violence courts, the fact that there are fewer defendants in the courtroom made the experience less intimidating for victims. Many cited that it is particularly helpful for one judge to hear the case from beginning to end because that judicial officer becomes more familiar with the participants and the facts of the case. Others noted that expedited processing of cases in domestic violence courts enhances victim safety and makes court processes more effective. Many courts cited the benefits of uniformity and consistency in how cases are handled.

The perception among some respondents is that dedicated domestic violence courts often allow or encourage participation by victim advocates, social service agency staff, and other people who provide support to litigants during proceedings. Respondents cited such procedures as particularly effective for victims in both civil and criminal courts.

Several thought that courts that coordinate criminal and civil domestic violence matters provide additional benefits for victims. They assert that coordination prevents contradictory orders that may interfere with victim safety and the ability of the court to focus on all issues an individual or a family may be facing. One court described using a domestic violence court coordinator, a court-based staff attorney, to assist with these matters. This individual is also available to the public to explain the domestic violence court and restraining order procedures.

ENHANCED UNDERSTANDING Both victim advocates and batterer intervention personnel cited enhanced understanding of domestic violence by key participants as another significant benefit for victims in domestic violence courts. Key participants in these courts become more familiar with domestic violence cases because they handle more of them. Survey respondents indicated that in becoming more familiar with these matters, court personnel, including judicial officers, bailiffs, mediators, and attorneys, become more knowledgeable about the dynamics present in many domestic violence situations. Those surveyed indicated that the impact this has on victims can be significant. Survey respondents suggested that generally, the domestic violence court is more responsive to a victim’s needs. In the process, the court may have the added effect of increasing public confidence in the judicial system’s ability to provide recourse in these matters.

Respondents note that when key participants are not well informed about or unaccustomed to working on domestic violence cases, litigants may be at a disadvantage. For example, some respondents argue that a bad experience in court will discourage victims from calling the police or seeking a restraining order again. Consequently, having specialized, dedicated personnel may increase the likelihood that key participants will be more responsive to these matters. On the other hand, one survey respondent raised the concern that the availability of only one judge to hear these cases means that everyone is dependent upon that particular judicial officer's understanding of domestic violence matters.

INCREASED RESOURCES A focus on domestic violence has enabled many courts to provide services and referrals specific to the needs of those involved in domestic violence cases. Respondents cited this as another beneficial effect for domestic violence victims. Services cited included programs designed to give information to victims about options and resources, court-connected legal clinics, in-court victim witness assistance, and court clerks and bailiffs dedicated to domestic violence courts.

Many courts invite representatives from community agencies to be present in the courtroom so litigants can receive immediate advice or assistance from a variety of agencies. These advocates may provide safety planning, shelter, counseling, or legal assistance. Often, victim advocates are on-site and prepared to provide support to victims during the court proceedings. Working with local agencies has also made other services available. For example, "fax filing" for restraining orders has enabled battered women's shelters in some areas to quickly send information directly to the courthouse, thereby expediting the restraining order process.

Court-connected mediators from the local offices of family court services (FCS) often provide assistance with domestic violence matters. FCS often conducts separate court-connected mediation sessions in civil matters for those with children. Additionally, FCS staff may have the ability to conduct differential assessments and thereby offer the most appropriate resources to a family. They provide information about children's needs and can help construct safe visitation or parenting plans. Several FCS staff noted that they attend local domestic violence council meetings on behalf of their courts and participate in other community efforts to address domestic violence.

One of the effects of courts' providing more services to victims is that community agencies and courts have more opportunities to become familiar with each other's work. For victims, this may mean having a better experience in court as their advocates become more familiar with court procedures. Similarly, courts may be more responsive to victim needs and more supportive of batterer intervention

program recommendations, thereby contributing to the perception that domestic violence courts are more concerned with safety and accountability.

ACCESSIBILITY AND SAFETY In response to both the quantitative, closed-ended questions and the qualitative, open-ended questions of the Domestic Violence Courts Survey, many courts indicated that they hoped to provide a safe place for victims to present their cases and obtain effective orders. Courts pursued this goal in several ways. For example, one county described creating an area for filling out forms, providing additional assistance in completing forms, and free copying to provide a more accessible and expeditious process that can enhance victim safety. Others noted that they sought to assign court personnel, such as bailiffs, who were particularly aware of the safety concerns associated with these cases, to domestic violence courts.

Several courts reported that they have received thank-you letters from victims who obtained the help they needed through the court process. One respondent stated: “I feel that victims who have come to our court seeking help have left with the feeling that we are not just another bureaucracy but rather [people who have] indeed tried to help.”

Reported Impact on Batterers

Survey respondents indicated that batterers benefit from domestic violence courts in a number of ways. Many felt that domestic violence courts reduce recidivism, improve enforcement and case processing, and provide better services for those who have perpetrated violence. It is particularly important that perceptions of reduced recidivism be considered carefully, as there are a variety of ways to measure this and more data are needed before conclusions can be drawn. However, many communicated their perception that dedicating a team of professionals and other court resources to domestic violence contributes to a belief by the public that the court takes the problem seriously.

Survey respondents indicated that the batterer intervention program provided the most important resource for perpetrators. Many cited 52-week programs as sufficient, and several suggested the use of longer programs. Several perceive that victims, as well as perpetrators, have benefited when perpetrators are referred to batterer intervention programs. Victims have reported that they have witnessed changes in the batterer’s behavior and often attribute these changes to the batterer’s participation in the court-mandated programs.

Many respondents argued that frequent monitoring is an important aspect of domestic violence courts. Several courts conduct periodic reviews at designated intervals, such as 30, 60, or 90 days. Initially, they assess whether or not a

perpetrator has enrolled in a program and, subsequently, whether or not the program and other conditions have been completed.

A few of the respondents noted the surprise and anger of many perpetrators when they learn that the court is taking a comprehensive look at the impact of domestic violence in a given situation. For example, judges may make custody and visitation orders during the course of a domestic violence proceeding that require perpetrators to have their time with their children supervised or monitored. Some survey respondents indicated that occasionally people get angry when they find that the court will impose a variety of restrictions on their behavior. As a result, it can be particularly important for domestic violence courts to provide adequate security and conduct safety planning for victims in conjunction with court procedures that may result in a batterer being held accountable for perhaps the first time.

Reported Impact on Children

The Domestic Violence Court Survey asked family court services directors for their impressions of the impact of domestic violence courts on children. Many indicated that there was an increased level of awareness in their courts about the potential harm of domestic violence on children. The courts' ability to refer families for differential assessments was cited as "crucial" to providing appropriate services for children. Additional resources, such as victim witness assistance and specialized counseling programs, were also noted as being particularly helpful to children who have lived with domestic violence. Some survey respondents indicated that supervised visitation or supervised exchanges may also be effective resources that can provide a safer way for parents to exchange or spend time with their children.

VI. Potential Obstacles to Implementing Effective Domestic Violence Courts

This section reviews the responses of judicial officers, domestic violence prevention advocates, family court services staff, and batterer intervention program personnel to a series of open-ended questions on domestic violence courts (see appendixes A and B). Open-ended questions provide survey respondents the opportunity to elaborate upon their thoughts and introduce new ideas that may not have been anticipated by researchers. However, it is more difficult to quantify these types of responses. The following section attempts to convey a sense of the principal issues that were raised in response to the open-ended questions.

Parts 2 and 3 of the Domestic Violence Courts Survey asked court personnel to describe any obstacles or barriers that arose in their local courts' attempts to develop processes for addressing domestic violence cases. Those who work directly with individuals who are referred to batterers intervention programs or with victims/survivors of domestic violence responded to the same questions regarding civil, criminal, and juvenile courts and were asked to limit their responses to up to three obstacles or barriers.

Participants cited a number of obstacles and barriers they perceived as interfering with the establishment of a domestic violence court. Responses fell into several categories: limited or insufficient resources, current court policies and procedures, training and education, and resistance from key participants. A few courts that have been able to establish specialized calendars or courts stated that they did not experience any obstacles. Others cited their ability to collaborate with resources in the community as a key element in overcoming many of the difficulties associated with implementing effective domestic violence courts.

Obstacles and Barriers

LIMITED OR INSUFFICIENT RESOURCES Survey respondents indicated that limited or insufficient resources posed the greatest challenge to establishing a domestic violence court. Lack of financial resources was by and large the most significant obstacle courts encountered. However, funding was not the only resource that respondents said they needed. For example, participants also identified limited facility space as a significant barrier to establishing domestic violence courts. Without space, courts noted, it was sometimes difficult to find comfortable areas for individuals to fill out forms or meet with court staff. Additionally, court personnel noted that a lack of facility space made it difficult to establish a specialized court able to house additional judicial officers and staff. Insufficient facility space has been an ongoing concern of courts for some time. Many courts found these two barriers—insufficient funds and lack of facility space—to be the most significant obstacles to identifying specialized judicial officers and staff to establish a domestic violence court. An insufficient number of judicial officers, resulting in overburdened calendars and limited time for each case to be heard, was a significant concern also raised by batterer intervention program staff and victim advocates.

Lack of funding affects other resources as well. For example, several courts cited a need for technology that would allow court personnel to locate cases involving the same family. Judicial officers noted that the specialized processes in domestic violence cases can involve a huge increase in the courts' clerical workload, which requires funds and additional personnel to handle. Others indicated that the absence of child care made court processes particularly difficult or inaccessible for families. Additionally, survey respondents cited a lack of court resources

available in multiple languages as posing a significant obstacle to establishing more accessible specialized procedures.

CURRENT POLICIES AND PROCEDURES Researchers have identified the ability to “promote the use of uniform procedures by judges and court staff” as one of the potential benefits of a specialized domestic violence calendar.”¹² Policies and procedures define much of how courts provide services and often determine whether or not a court is “specialized.”

Those who work with batterer intervention and victim advocacy programs cited current court policies and procedures as one of the most significant obstacles to establishing domestic violence courts. For example, these survey respondents noted the failure of courts to communicate with programs that hold batterers accountable, resulting in ineffective or unenforceable court orders, as a significant problem. Survey respondents who work with victims raised concerns about procedures in some jurisdictions that they felt negatively affected victims. For example, one respondent suggested that if victims are required to remain in the courtroom, they may end up feeling intimidated because of their close proximity to batterers. Another person cited concerns about court procedures mandating that victims attend counseling programs. In these cases, victims may feel that coming to court restricts their discretion, as if they too committed a crime, even though the programs may provide beneficial resources.

Several of those surveyed cited inconsistent decisions from various courts, inconsistent criminal sentencing, and “less strict enforcement” in family court as significant obstacles to specialized handling of domestic violence cases. Difficulties in obtaining police reports and other relevant information also posed obstacles to establishing domestic violence courts.

Victim advocates noted that the lack of communication between various courts involved in related cases posed an obstacle to establishing a specialized court. Several saw a need to develop policies and procedures linking criminal, civil, and juvenile courts to provide more consistent and effective orders. Many also viewed the time that it currently takes in some jurisdictions to obtain an order after a hearing as presenting a significant obstacle to establishing specialized procedures. This may occur for a variety of reasons, such as court delay, limited resources for assisting unrepresented litigants, or the failure of attorneys to submit orders in a timely manner. The limited time some courts have to hear testimony was another example of a current procedural issue in some courts that may interfere with the creation of specialized processes.

Several court personnel also cited “coordination problems” as a significant procedural barrier to developing specialized courts in their jurisdictions. For some courts, the fact that their “court” is actually physically located at several different

sites presents a significant challenge. Others have had difficulty coordinating with local social service agencies to provide services.

TRAINING AND EDUCATION One distinguishing feature of a domestic violence court, civil or criminal, may be the availability of a team of specialized personnel consisting of judges, public defenders, district attorneys, and clerks or bailiffs.¹³ Many survey respondents expressed concern over what they perceived as lack of training and education for these and other key participants. These survey respondents perceived a greater need for training on domestic violence issues for judicial officers, court-connected and law enforcement personnel, and lawyers. Several survey respondents noted that training and education should contain information specifically about domestic violence law. However, they also emphasized the need for more training about patterns and effects of abuse and how to manage these often complex and challenging cases. Without training, key participants may not be able to provide the relief victims seek in coming to court. For example, one survey respondent indicated concerns court personnel being insensitive about disclosing confidential address information. Training may give staff an opportunity to become more familiar with various procedures and with some of the issues involved in domestic violence cases.

RESISTANCE OF KEY PARTICIPANTS There are a number of “key participants” involved with domestic violence courts. Judicial officers, court staff, law enforcement personnel, public defenders, private attorneys, and community members from various agencies contribute to the design and implementation of specialized court procedures. Domestic violence cases can be complicated and high profile, and they often involve significant security concerns for litigants and court-connected personnel. Respondents suggested that if any one group of key participants were resistant to establishing a specialized court, that resistance posed a significant obstacle. The particular challenges associated with these cases may explain why survey respondents indicated that finding enough judicial officers willing to take an assignment focusing exclusively on domestic violence was often difficult.

Survey respondents also noted that key participants may demonstrate some resistance to supporting domestic violence courts because of their perception that their specialized processes interfere with judicial neutrality. Several of those surveyed indicated that public defenders often raise these particular concerns about domestic violence courts. Those courts that have established specialized procedures have responded to these concerns in a variety of ways. Some have worked closely with public defenders and other key participants to identify practices and procedures that they could support. Over time, other courts have demonstrated their continued commitment to fairness as they implement domestic violence courts. In so doing, they have provided key participants with the opportunity to build confidence in new or innovative judicial processes.

Several survey respondents raised concerns about resistance that takes the form of attitudinal biases that may affect whether or not a court establishes specialized processes. They perceived certain key participants as lacking sympathy or understanding of the complexities of domestic violence matters and too often placing the responsibility for violence solely on victims. Several noted that training, education, and the identification of those with an interest in this area might help in overcoming this obstacle.

Other key participants, including police officers, were mentioned as necessary to establishing specialized processes for handling domestic violence cases. Several of the domestic violence courts noted that their ability to ensure rapid, effective enforcement of orders made the court that much more successful.

CASE CHARACTERISTICS Several court personnel indicated that the attributes of many domestic violence cases can make it difficult to identify the resources needed to establish a specialized court. One survey respondent described the “emotional nature of these cases.” Others noted the high degree of complexity that domestic violence matters often involve. Most litigants in civil domestic violence cases are unrepresented and may not have the resources to navigate the court system without additional assistance from the courts or outside agencies. Additionally, courts may need to provide assistance on a number of related issues such as guardianship, custody and visitation, and child support. As a result, domestic violence cases are frequently more difficult to manage than other types of cases.

Overcoming Obstacles

Some courts have been able to overcome many of the obstacles survey respondents identified by employing a variety of approaches. These may be categorized under two headings: (1) working closely with the local community, and (2) sharing information with other domestic violence courts. As noted earlier, courts draw from the resources of the community to meet the needs of those in domestic violence cases. For example, some courts participate in local family violence coordinating councils, death review teams, or other coalitions that enable them to become familiar with others working on domestic violence issues. Other courts have been developed primarily through close consultation with existing courts around the state.

In many instances, court personnel have found it useful to share information with other courts and learn from one another. They have visited other courts and participated in workshops and roundtable discussions to learn more about domestic violence courts. This exchange of information has provided the training,

education, and collaboration that has enabled many courts to implement specialized processes with the assistance of key participants.

A few courts have been able to establish domestic violence courts or specialized processes by identifying financial resources available locally, statewide, or through the federal government. In one case, a domestic violence court has been able to combine court funds with a grant from a local sexual assault center to fund a part-time case manager position. The case manager is primarily responsible for reviewing court filings to inform other judicial officers of cases involving the same parties. Another court used Violence Against Women Act grant funds to support a court that utilizes “vertical prosecution” for domestic violence felony cases. This approach includes a team of specialized court personnel (district attorney, judicial officer, victim assistant) who remain with the case from arraignment through sentencing. After conviction and sentencing, all cases are set for future reviews, monitoring of conditions, and any subsequent hearings before the designated domestic violence court judge. Some courts also identified the Access to Visitation Grant¹⁴ as an important component of funding for supervised visitation programs, often utilized by domestic violence courts.

Courts have also overcome some of the obstacles posed by limited resources by working closely with local social service agencies and universities. In a number of courts, local law schools provide students, supervised by a family law attorney, to offer assistance to domestic violence victims in court. Other courts have reached out to local agencies to provide supervised visitation services and counseling programs for adults and children. In so doing, many courts have increased funding opportunities: each of these agencies can develop their own streams of money or access to resources for court-connected programs.

VII. Issues Raised Regarding Implementation of Effective Domestic Violence Courts

Given the limited information available on the effectiveness of various court procedures, a number of issues remain unresolved. Those working with specialized calendars and courts often have a sense of their effectiveness, and this report has captured and reported some of them. However, court personnel and policymakers are also asking many questions in an attempt to identify the most effective ways to promote safety and accountability in domestic violence cases.

Separate Courts

Some are asking questions about the basic concept of separating domestic violence courts from other courts. Is there a perception that those appearing on specialized calendars are receiving more or better resources than those appearing on general

calendars? If so, how accurate is that perception, and how does it affect “forum shopping”? Given that domestic violence may still be present in cases that are not in domestic violence court, how will courts ensure that all judicial officers and court personnel are sensitive to this issue regardless of which court hears a case? Conversely, because it separates domestic violence cases from the larger calendar, does the establishment of a specialized domestic violence criminal court affect the perception that domestic violence is a serious crime? If so, what impact would that have on victims’ views of the court and the criminal justice system as effective resources? Additionally, if domestic violence courts are not viewed favorably, or as more high profile and contentious, will domestic violence court become a less favorable judicial assignment?

Concerns about labeling cases as “domestic violence” as opposed to “family law matters,” for example, are also being raised. Does the fact that a court is identified as a “domestic violence court” (and that participants are labeled as “victims” or “perpetrators”) make it more or less intimidating for victims? Some argue that the commitment the court is making to domestic violence by establishing a specialized court should enable victims to feel “safer and more confident in pursuing their civil remedies and assisting the prosecution of criminal behavior.”¹⁵ Given that those establishing domestic violence courts tend to share that goal, what needs to be in place to ensure that specialized courts are perceived as effective?

Processes and Procedures

This study describes a number of specific processes courts are utilizing. It may be beneficial to consider whether these processes are significant improvements for those participating in the court system. For example, are cases moving more quickly when specialized calendars or processes are utilized? Is a faster calendar more responsive to the goals courts articulate regarding safety and accountability? Do faster calendars mean less court time for litigants? If so, how does the amount of judicial time spent on a matter affect outcomes? What are the differences between criminal and civil courts in terms of time spent engaging in periodic review and monitoring? How does frequent monitoring affect court resources?

Survey respondents also raised concerns about procedures that produce inconsistent orders. Are the orders made in a domestic violence court more consistent for families? Can consistent orders on the same case make it less likely that litigants will violate them? For example, what happens when a criminal court orders no visitation and the family law court sets a specific visitation schedule because they have not shared information about the cases? In this regard it would be useful to consider the differences between courts that consolidate criminal and civil matters and those that utilize other means of case coordination.

Outcomes

There are also many questions about the outcomes produced by domestic violence courts. Those establishing domestic violence courts consistently indicate that reducing recidivism is one of the primary reasons they would like to implement specialized procedures. Do domestic violence courts provide better monitoring and enhanced accountability? Many believe that identifying a separate part of the court to address domestic violence sends a strong message to the community that the courts take domestic violence seriously. Does this result in less battering and abuse? What is the impact of domestic violence courts on victim safety?

Addressing Safety of Victims and Children

Victims with or without children are often dependent upon batterers for housing, income, and other forms of support. As a result, they may require significant assistance in developing a safety plan that addresses this reality. Given that many of the cases appearing in domestic violence courts involve adults with children in common, courts are often confronted with the need to address the safety of the adult victim as well as the safety of the children who may be living with both parents. As one judge noted, these situations often highlight “the conflict which exists between victim protection and victim support for the batterer.”

In response, many courts are working more closely with Child Protection Services (CPS) in an attempt to provide safe alternatives for children. As a result, CPS may have a significant impact on court practices and procedures. What are the effects of this trend on victims and on children? As the National Council of Juvenile and Family Court Judges notes, linking the safety of battered mothers to the safety of their children is an important goal that is not always met.¹⁶ When a batterer continues to use power and control to interfere with a victim’s autonomy, is it reasonable to hold the victim primarily responsible for ensuring that the children are safe? What options are available to courts in these situations? Are battered women less likely to seek help if they fear losing their children? What procedures need to be implemented to enhance safety in these situations and make it more likely that children will be able to remain in the care of their nonoffending parent? In response to these concerns, many communities have developed cross-training opportunities for court-connected and CPS personnel.

Effects on Community Relations

One of the defining features of a domestic violence court is its relationship with a variety of community services. Given that courts are one part of what needs to be a coordinated community response to domestic violence, how do domestic violence courts work with other agencies to produce better outcomes? Are domestic violence courts more visible to the community and family violence coordinating

councils?¹⁷ When difficulties arise, are the relationships formed through domestic violence courts helpful in responding to community criticism? Do communities have different expectations for judicial officers serving on domestic violence courts in terms of their ability to participate more actively in community organizations?

Effects on Court Personnel

The impact on court personnel needs to be explored. Judicial resources are limited, and many courts are wondering how they can attract and retain good judges to handle these cases. While developing a specialized court for these cases may provide expertise from all court personnel involved (judicial officer, clerk, bailiff, and so forth), what happens when those particular individuals are unavailable? Are there effective ways to institutionalize effective court practices so that specialty courts are less dependent upon particular individuals?

Another major concern is how to address the possibility of “burnout” for both judicial officers and court staff. Those hearing only domestic violence cases may have an enormous caseload containing very complex and emotionally challenging issues. How do courts guard against judicial officer and staff burnout under these circumstances? Are mentoring or networking programs an effective response to this problem? On the other hand, several court personnel have noted the immense satisfaction they experience from this work. What circumstances contribute to making a domestic violence court assignment a positive experience for judicial officers and court staff?

These and many other questions will continue to be considered as courts develop improved practices and procedures for handling domestic violence matters. This is a time of change and innovation for courts around the country and for those who work on domestic violence issues. Over the next several years, it is likely that continued study, dialogue, and implementation will provide policymakers with some answers to these questions and, simultaneously, create many additional areas that merit further research.

VIII. Conclusion

Domestic violence courts represent a relatively recent and innovative approach to addressing the complexities associated with intimate partner violence in both civil and criminal contexts. This study provides California’s Legislature with a description of what courts are doing and suggests several areas for consideration as courts move forward with their efforts to address safety and accountability. As a greater understanding of this field develops, it is likely that more distinct models will emerge. Until then, this study provides California with a description of

current court procedures and, in so doing, a foundation for continuing its efforts to enhance the administration and accessibility of justice in this important area.

¹ The Domestic Violence Court Survey asked two different questions to gauge whether or not a court operated a domestic violence court. The first question asked courts to identify the types of domestic violence cases that “typically are assigned to a specialized division/calendar.” The second question asked about judicial assignment in domestic violence cases. This question allowed courts to indicate if “judges are assigned exclusively to hear domestic violence cases” or if “judges have a mixed caseload but also are assigned to a special domestic violence calendar.” Fifty-three of 69 courts that responded indicated that they assign some or all of their domestic violence cases to a special division/calendar. However, there appeared to be some confusion among the survey respondents as to whether this question meant the assignment of cases to a specialized calendar of any kind—such as a juvenile or family law calendar—or assignment to a specialized *domestic violence* calendar. For this reason, *this report classifies domestic violence courts by judicial assignment*. If a court indicated that it assigns judicial officers to a special domestic violence calendar, exclusively or as part of a mixed caseload, it was counted as a domestic violence court. Forty-two courts responded affirmatively to this question. Further review of the questionnaires revealed three courts that indicated elsewhere in the questionnaire that they have no specialized domestic violence court. Elimination of these three courts from the sample brings the total to 39.

² Karan, et al., *Domestic Violence Courts: What Are They and How Should We Manage Them?* (Spring 1999) Vol. 50, No. 2, Juvenile and Family Court Journal.

³ For example, see Shepard, *Evaluating Coordinated Community Responses to Domestic Violence* (VAWnet and National Resource Center on Domestic Violence, April 1999); Burt, et al., *Coordinated Community Responses to Domestic Violence in Six Communities: Beyond the Justice System* (The Urban Institute 1996); American Medical Association, *Family Violence: Building a Coordinated Community Response* (1996); National Council of Juvenile and Family Court Judges, *Family Violence: Improving Court Practice* (1990).

⁴ Tsai, *The Trend Toward Specialized Domestic Violence Courts: Improvements on an Effective Innovation* (2000) 68 Fordham Law Review 1285, 1303.

⁵ *Id.* at p. 1305.

⁶ *Id.* at p. 1304.

⁷ *Id.* at p. 1306.

⁸ *Id.* at p. 1285, 1301.

⁹ See *supra* note 1.

¹⁰ A Title IV-D court is one in which child support cases have been assigned to the local child support agency (currently the District Attorney, Family Support), which appears on behalf of the state's interest in obtaining and enforcing an appropriate child support order. These cases are generally heard by a designated child support commissioner.

¹¹ Pen. Code, § 1203.097.

¹² Karan, et al., p. 76.

¹³ *Id.* at p. 76.

¹⁴ The Access to Visitation Grant Program is administered by the Judicial Council and provides funds to local courts for the establishment of safe visitation and exchange locations, parent educational programs, and group counseling opportunities for low-income parents and children involved in family court proceedings.

¹⁵ *Id.* at p. 76.

¹⁶ National Council of Juvenile and Family Court Judges, *Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice: Recommendations from the National Council of Juvenile and Family Court Judges Family Violence Department* (1999) p. 19.

¹⁷ The family violence council, or coordinating council, is created by a community as a mechanism through which the community and justice system can improve their response to family violence. Generally, participants in the council include representatives from “law enforcement, prosecution, defense, probation, the courts (civil and criminal), court staff, corrections, social services, medical experts (including, perhaps, the coroner), counseling services for batterers and victims, community domestic violence groups, shelters, victim representatives, other relevant governmental agencies such as the Commission on the Status of Women, as well as persons with special expertise in such areas as elder abuse, gay and lesbian abuse, research and data collection.” Edwards, *Reducing Family Violence: The Role of the Family Violence Council* (1992) Vol. 43, No. 3, Juvenile and Family Court Journal 1.

APPENDIX A
JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

DOMESTIC VIOLENCE COURTS STUDY:
JURISDICTION, ORGANIZATION,
PERFORMANCE GOALS AND MEASURES
(Adapted from the National Center for State Courts Survey)

Contact Name: _____

Title: _____

Court: _____

Mailing Address: _____

City: _____ **County:** _____ **Zip:** _____

Phone: _____ **Fax:** _____

e-mail: _____

Presiding Judge: _____

If your court has completed Part I (pages 2-6) of this survey for the National Center for State Courts survey, please skip to Part II (pages 7 & 8).

-
- If you are not the person most able to complete the survey, please forward it on to the person who is.
 - If you feel that the response options for a particular question do not adequately or fully characterize your court organization, processes, or services, feel free to include explanatory notes or comments.
 - If you have difficulty understanding a question, note this on the questionnaire and you will be called to clarify the item after you return the survey.
 - If you have any questions about the survey, please contact at the address below.
 -
 - Please complete the enclosed survey and return it by fax or mail by **May 1, 1999** to:

California Judicial Council
Council & Legal Services Division
455 Golden Gate Avenue
San Francisco, CA 94102-3660
Telephone: (415) 865-7705
Fax: (415) 865-4319

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

**DOMESTIC VIOLENCE COURTS STUDY:
JURISDICTION, ORGANIZATION,
PERFORMANCE GOALS AND MEASURES**
(Adapted from the National Center for State Courts Survey)

PART 1

DESIGNATION OF DOMESTIC VIOLENCE CASE TYPES

1. In the table below, please check the boxes in Column A for all case types designated as a domestic violence case by your court. Then, for each case type checked in Column A, please check in Columns B – D whether:
 - B. All of the cases for the designated case type typically are assigned exclusively to a specialized division/calendar
 - C. Some of the cases for the designated case type typically are assigned to a specialized division/calendar
 - D. None of the cases for the designated case type typically are assigned to a specialized division/calendar

<i>Possible Domestic Violence Case types:</i>	A. Case types identified as domestic violence	B. All of the cases for the identified cases type are assigned exclusively to a specialized division/calendar	C. Some of the cases for the identified case type are assigned to a specialized division/calendar	D. None of the cases for the identified case type are assigned to a specialized division/calendar
Civil Protection Order Cases [petitioner has children]				
Civil Protection Order Cases [petitioner has no children]				
Domestic Violence Misdemeanors				
Domestic Violence Felonies				
Delinquency [where D.V. offender is a minor]				
Child Abuse & Neglect Cases [with related CPO or DV criminal case]				
Divorce [with related CPO or DV criminal case]				
Custody and Visitation [with related CPO or DV criminal case]				
Paternity and Child Support [with related CPO or DV criminal case]				
Other (<i>please specify</i>)				

2. What does your jurisdiction seek to achieve in establishing specialized procedures for processing and/or adjudicating domestic violence cases? *(Please circle all that apply)*

- | | |
|------------------------------------|--|
| 1. Improved case management | 5. Increased accountability of defendants/respondents |
| 2. More efficient use of resources | 6. Better court security |
| 3. Increased victim safety | 7. Increased visibility of domestic violence as a significant social problem |
| 4. Better assistance to victims | 8. Other (specify): _____ |

JUDICIAL RESOURCES

3. Do the judges or other judicial officers (hearing officers/commissioners/magistrates) assigned to hear domestic violence cases hear them exclusively? *(Please circle the number of the appropriate response)*

1. Yes, judges are assigned exclusively to hear domestic violence cases
Number of judges: _____
2. No, judges have a mixed caseload but also are assigned to a special domestic violence calendar
3. No, judges have a mixed caseload and there is no special domestic violence calendar

CASE SCREENING

4. Does any department of the court or clerk’s office screen for related cases (current or past) upon filing of a case involving domestic violence (e.g., screen for criminal offenses when a protection order petition is filed)? *(Please circle the number of the appropriate response)*

0. No *(please go to Question 7)*
1. Yes

5. If **yes**, please check the casetypes screened in the table below.

Type of Case Filed:	Court screens for the following related cases:							
	Protection Order	Criminal (Domestic Violence)	Other Criminal	Child Abuse & Neglect (Dependency)	Custody	Child support	Divorce	Other (specify)
Protection Order								
Criminal Misdemeanor								
Criminal Felony								
Child Abuse & Neglect (Dependency)								
Custody								
Child Support								
Divorce								
Other family matters <i>(please specify)</i>								

6. What is the purpose of case screening?
1. Linking/coordinating cases for case processing
 2. Informing bail decisions
 3. Informing sentencing decisions
 4. Informing development of civil protection orders
 5. Informing development of safety protection plans
 6. Other (*please specify*) _____

INTAKE AND COORDINATION

7. Does your court have a unit or process that assists with the intake or coordination of all or part of the domestic violence caseload? (*Note, this does not include an outside agency that performs intake for its own agency and is not connected to the court’s case processing*). (*Please circle the number of the appropriate response*)

0. No (*please go to Question 13*) 1. Yes

8. Which cases does the intake unit or process handle? (*Please circle all that apply*)

- | | |
|-------------------------|---|
| 1. Protection Orders | 5. Child Support |
| 2. Criminal Misdemeanor | 6. Divorce |
| 3. Criminal Felony | 7. Other family matters (<i>please specify</i>) _____ |
| 4. Custody | |

9. Who manages your intake unit or process? (*Please circle the number of the appropriate response*)

1. Managed directly by the court with court employees
2. Managed by an outside agency with agency employees
(*Please specify agency*) _____
3. Managed by a multi-agency team that includes the court
4. Managed by a multi-agency team that does not include the court

10. Is intake staff assigned exclusively to the intake function? (*Please circle the number of the appropriate response*)

0. No 1. Yes

11. If yes, how many staff are assigned to intake? _____

12. What services are provided/functions performed by the intake unit or as part of the intake process? (*Please circle all that apply*)

1. Assisting petitioners/victims with protection order petitions
2. Assisting petitioner with paternity/child support petitions for Title IV-D petitions
3. Assisting petitioner with paternity/child support petitions for non-Title IV-D petitions
4. Assisting petitioner with dissolution/divorce petitions
5. Screening cases for other pending matters
6. Making referrals to other court divisions
7. Making referrals to outside service agencies
8. Coordinating service provision to petitioners/victims
9. Other (*please specify*): _____

SERVICE REFERRAL AND DELIVERY

13. Does the court assist with or link the victim/protection order petitioner to service referrals or service provision? *(Please circle the number of the appropriate response)*

0. No *(please go to Question 15)* 1. Yes

14. If **yes**, which services are included in this activity? *(Circle all that apply)*

- | | |
|---|---------------------------------------|
| 1. Advocates assigned to victim | 9. Elder assistance |
| 2. Pro bono attorneys through legal aid | 10. Substance abuse |
| 3. Emergency housing | 11. Mental health |
| 4. Medical services | 12. General community support service |
| 5. Linked with services for immigrants | 13. Children’s services |
| 6. Survivor (victim) support groups | 14. Other <i>(please specify)</i> |
| 7. Vocational services and counseling | _____ |
| 8. Public assistance | |

BATTERERS’ INTERVENTION PROGRAMS AND COMPLIANCE

15. Does the court regularly order batterers to participate in a batterer intervention program? *(Please circle the number of the appropriate response)*

0. No *(please go to Question 19)* 1. Yes

16. If **yes**, by what authority and in which types of domestic violence cases are batterers’ intervention programs ordered? *(Circle all that apply)*

- | | |
|---|-------------------------------------|
| 1. By statute in criminal misdemeanors | 5. By statute in criminal felonies |
| 2. By practice in criminal misdemeanors | 6. By practice in criminal felonies |
| 3. By statute in protection orders | 7. Other <i>(please specify)</i> |
| 4. By practice in protection orders | _____ |

17. In cases where batterer intervention is required, what agency or court staff monitors compliance with orders? *(Check all that apply)*

<i>Agency Monitoring Compliance:</i>	<i>Case types where treatment required:</i>		
	Misdemeanors	Felonies	Protection Orders
Court probation			
Local non-court probation agency			
State non-court probation agency			
Community-based domestic violence program			
Batterer intervention program			
Court administrative office staff			
Court clerk staff			
Judge			
Other			
N/A			

18. For cases where treatment is ordered, does the court have a regularly scheduled judicial review calendar to monitor treatment progress? *(Please circle the number of the appropriate response)*
0. No 1. Yes

INFORMATION SYSTEMS

19. Does the court have an automated information system in place to: *(Please circle the number of the appropriate response)*
- (a) facilitate identification of related cases? 0. No 1. Yes
 (b) facilitate case tracking 0. No *(please go to Question 21)* 1. Yes

20. Which outside agencies, if any, also have access to the system(s)? *(Circle all that apply)*
- | | |
|----------------------------------|----------------------------------|
| 1. No other agencies have access | 5. Corrections |
| 2. Police | 6. Victim Advocacy Organizations |
| 3. Prosecution | 7. Social Service Agencies |
| 4. Probation | 8. Other <i>(please specify)</i> |

21. Which outside agency systems, if any, can the court access? *(Circle all that apply)*
- | | |
|--|----------------------------------|
| 1. No agency systems are accessed by the court | 5. Corrections |
| 2. Police | 6. Victim Advocacy Organizations |
| 3. Prosecution | 7. Social Service Agencies |
| 4. Probation | 8. Other <i>(please specify)</i> |
-

FUNDING

22. What federal funding, if any, is your jurisdiction receiving to assist with the operation and/or evaluation of your specialized procedures for processing and/or adjudicating domestic violence cases? *(Circle all that apply)*
- | | |
|--|----------------------------------|
| 1. No federal funding | 4. VOCA funds |
| 2. Grants to encourage arrest policies | 5. Other <i>(please specify)</i> |
| 3. VAWA STOP grant funds | |
-

OTHER SPECIALIZED PROCESSES

23. Please describe any unique features or procedures of your court for processing domestic violence cases that are not covered by this survey.

ADMINISTRATIVE OFFICE OF THE COURTS

**DOMESTIC VIOLENCE COURTS STUDY:
JURISDICTION, ORGANIZATION,
PERFORMANCE GOALS AND MEASURES**
(Adapted from the National Center for State Courts Survey)

PART 2

California Addendum

1. Please describe any obstacles or barriers that have arisen in your local court's attempts to develop processes for addressing domestic violence cases.

2. What do you think the impact has been of your domestic violence court, or processing of domestic violence cases, on victims?

3. What do you think the impact has been of your domestic violence court, or processing of domestic violence cases, on batterers?

4. Please describe any client satisfaction, program evaluation, or community feedback measures to assess the impact of your domestic violence court, or case processing procedures, that have been implemented in your court?

5. Please describe any modifications or change you either plan to make, or would like to make, in your county's domestic violence court(s) or processing of domestic violence cases.

6. In your opinion, what are the three most important features of an "ideal" domestic violence specialty court?

7. What else would be useful for the Domestic Violence Court Study Project to know that may have not been commented on above?

**JUDICIAL COUNCIL OF CALIFORNIA
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**DOMESTIC VIOLENCE COURTS STUDY:
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PART 3

Family Court Services' Addendum

Please describe any interface that Family Courts Services has with your local domestic violence court(s).

What do you think the impact has been of your domestic violence court(s) , or processing of domestic violence cases, on victims?

What do you think the impact has been of your domestic violence court, or processing of domestic violence cases, on batterers?

What do you think the impact has been of your domestic violence court(s), or processing of domestic violence cases, on children exposed to domestic violence?

In your opinion, what are the three most important features of an “ideal” domestic violence specialty court?

What else would be useful for the Domestic Violence Court Study Project to know about that may have not been mentioned on above?

APPENDIX B
JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

DOMESTIC VIOLENCE COURTS SURVEY

Name: _____

Title: _____

Organization: _____

Mailing Address: _____

City: _____ **County:** _____

Zip: _____ **Phone:** _____

Fax: _____ **e-mail:** _____

-
-
- If you are not the person most able to complete the survey, please forward it to the person who is.
 - If you have difficulty understanding a question, note this on the questionnaire.
 - If you have any questions about this project please contact.
 - Please note that questions are repeated for civil, criminal and juvenile courts.
 - Please complete the enclosed survey and return it by fax or mail by **February 25, 2000** to:

Judicial Council of California
Administrative Office of the Courts
Statewide Office of Family Court Services
455 Golden Gate Avenue
San Francisco, CA 94102-3660
FAX: (415) 865-4329

California Domestic Violence Courts Survey - page 1 of 3

1. In which counties' court system(s) do you work with victims?

1) _____ 2) _____ 3) _____

2. In which counties' court system(s) do you work with batterers?

1) _____ 2) _____ 3) _____

Civil Court Questions

3. Is there a specialized domestic violence court or specialized processing for **civil** domestic violence cases (divorce, custody, paternity, civil restraining orders) in any of the counties you listed? (Please circle your response. If Yes, list the counties.)

Yes No I don't know County 1 _____

County 2 _____ County 3 _____

4. Please describe up to three obstacles or barriers that have arisen in your local courts' attempts to develop processes for addressing domestic violence cases in civil court.

1) _____

2) _____

3) _____

5. What do you think the advantages have been of the civil domestic violence court, or specialized processing of domestic violence cases in civil court, for victims? (list up to three)

1) _____

2) _____

3) _____

6. What do you think the disadvantages have been of the civil domestic violence court, or specialized processing of domestic violence cases in civil court, for victims? (list up to three)

1) _____

2) _____

3) _____

7. What do you think the impact has been of the civil domestic violence court, or specialized processing of domestic violence cases in civil court, on **batterers**? (list up to three)

1) _____

2) _____

3) _____

Criminal Court Questions

8. Is there a specialized domestic violence court or specialized processing for **criminal** domestic violence cases (misdemeanors and/or felonies) in any of the counties you listed? (Please circle your response. If Yes, list the counties.)

Yes No I don't know County 1 _____

County 2 _____ County 3 _____

9. Please describe up to three obstacles or barriers that have arisen in your local courts' attempts to develop processes for addressing domestic violence cases in criminal court.

1) _____

2) _____

3) _____

10. What do you think the advantages have been of the **criminal** domestic violence court, or specialized processing of domestic violence cases in criminal court, for **victims**? (list up to three)

1) _____

2) _____

3) _____

11. What do you think the disadvantages have been of the **criminal** domestic violence court, or specialized processing of domestic violence cases in criminal court, for **victims**? (list up to three)

1) _____

2) _____

3) _____

12. What do you think the impact has been of the **criminal** domestic violence court, or specialized processing of domestic violence cases in criminal court, on **batterers**? (list up to three)

1) _____

2) _____

3) _____

Juvenile Courts

13. Is there a specialized domestic violence court or specialized processing for juvenile (dependency or delinquency) domestic violence cases in counties in which you work? (Please circle one. If Yes, list the counties.)

Yes No I don't know County 1 _____

County 2 _____ County 3 _____

California Domestic Violence Courts Survey - page 3 of 3

14. Please describe up to three obstacles or barriers that have arisen in your local courts' attempts to develop processes for addressing domestic violence cases in juvenile court.

- 1) _____
- 2) _____
- 3) _____

15. What do you think the **advantages** have been of the juvenile domestic violence court, or specialized processing of domestic violence cases in juvenile court, for **victims**? (list up to three)

- 1) _____
- 2) _____
- 3) _____

16. What do you think the **disadvantages** have been of the juvenile domestic violence court, or specialized processing of domestic violence cases in juvenile court, for **victims**? (list up to three)

- 1) _____
- 2) _____
- 3) _____

17. What do you think the **impact** has been of the juvenile domestic violence court or specialized processing of domestic violence cases in juvenile courts, on **batterers**? (list up to three)

- 1) _____
- 2) _____
- 3) _____

Feedback

18. Would you have answered these questions differently had you been answering them in June, 1999? (circle your answer) Yes No If yes, what has changed?

19. Is there anything else you think the Domestic Violence Court Study Project should know?

Thank you for your participation.